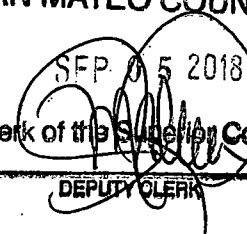


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FILED
SAN MATEO COUNTY

SEP 05 2018
Clerk of the Superior Court
By  DEPUTY CLERK

8
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF SAN MATEO

11
12 **PEOPLE OF THE STATE OF**
13 **CALIFORNIA,**

14 Plaintiff,

15 v.

16 **JOSHUA G. GAMOS (DOB 3/13/1976)**

17 **CARLINA G. GAMOS, aka NORA**
18 **GAMOS (DOB 9/6/1951)**

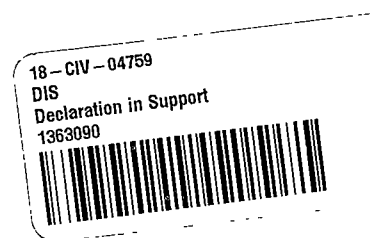
19 **NOEL G. GAMOS (DOB 9/22/1977)**

20 **GERLEN B. GAMOS (DOB 1/3/1980),**

21 Defendants.
22
23

Case No. **18 CIV 04759**

**DECLARATION OF SPECIAL AGENT
PETER WOLD IN SUPPORT OF
PETITION TO PRESERVE PROPERTY
AND ASSETS PURSUANT TO PENAL
CODE SECTION 186.11**



24 **EXPERIENCE OF DECLARANT**

25 I, Peter Wold, declare as follows:

26 I am a duly sworn peace officer currently employed as a Special Agent for the California
27 Department of Justice, Bureau of Investigation, Tax Recovery and Criminal Enforcement Task
28

1 Force (TRaCE) (hereafter referred as DOJ). I have been a peace officer in California for the past
2 17 years.

3 From April 2001 through 2012, I was assigned to the DOJ, Bureau of Investigations
4 (hereafter referred to as BI). While assigned to BI, I conducted investigations into crimes
5 including, but not limited to, sexual assaults, homicides, human trafficking, grand theft,
6 embezzlement, perjury, public contract fraud and violent crimes. From February of 2012 through
7 February of 2015, I was assigned to the DOJ, Bureau of Firearms, where I conducted illegal
8 firearms investigations and background investigations for Dangerous Weapons Permits.

9 On March 1, 2015, I was assigned to the BI, Tax Recovery and Criminal Enforcement
10 (TRaCE) Task Force. The mission of the TRaCE Task Force is to investigate elements of the
11 underground economy engaged in illicit activity and the resulting evasion of business, payroll
12 and/or income taxes. I have talked to numerous Federal, State, and local law enforcement experts
13 about specialized investigations involving human trafficking and grand theft (wage theft).

14 **SUMMARY OF INVESTIGATION**

15 On November 13, 2017, I was assigned to investigate the owners of Rainbow Bright, a
16 residential care facility for adults and day care facilities. At the time I began the investigation, the
17 owners were identified as Joshua G. Gamos, Carlina G. Gamos (AKA Nora Gamos), Felicimo
18 Gamos, and Noel G. Gamos. Later in the investigation, I determined there was an additional
19 suspect to include, Gerlen B. Gamos. Joshua G. Gamos, Carlina G. Gamos, Noel G. Gamos, and
20 Gerlen B. Gamos will hereafter be referred to as Defendants.

21 Over the course of the investigation, I identified vulnerable victims within the Filipino
22 community, who were often undocumented, and who Defendants enslaved to work at their
23 facilities and personal homes, without paying them adequate wages for the long hours they
24 worked. I learned Defendants failed to pay the victims in excess of \$5 million in wages from
25 2009 through 2014. I also learned from 2015 to 2017, Defendants continued to fail to pay their
26 employees adequate wages, despite the Department of Labor's investigation and requirement they
27 do so. Specifically, Defendants failed to pay their employees during this time period in excess of
28 \$3 million.

Additionally, in some instances, certain Defendants forced some of the undocumented victims to work twenty-four hours per day, seven days per week, while Defendants withheld their passports. Moreover, Defendant Joshua Gamos used force, violence, and duress with a younger female employee by requiring her to perform sexual acts to him upon his demand. During the course of the investigation, I also learned Defendants failed to report in excess of \$2 million to the California Employment Development Department (EDD) and failed to maintain worker's compensation insurance for their employees.

DETAILS OF INVESTIGATION

Prior to beginning my investigation on November 13, 2017, I learned the United States Department of Labor (DOL), had initiated an investigation in October 2014 after receiving complaints from Rainbow Bright employees that the owners of these facilities forced employees to work long hours without adequate pay, proper living conditions, and worker's compensation insurance. DOL referred their initial investigation to the San Mateo County District Attorney's Office (SMCDA).

I am informed and believe that the SMCDCA requested that the EDD to assist in investigating whether the Rainbow Bright owners committed unemployment insurance fraud and payroll tax evasion. During the EDD investigation, I am informed and believe that auditors reviewed EDD records, Rainbow Bright bank statements and checks, DOL interviews, California Department of Social Services documents, and 1099s. I am informed and believe that an EDD auditor determined Rainbow Bright underreported employees and wages paid to employees from July 1, 2008 to September 30, 2017. The auditor located numerous workers Rainbow Bright did not report to EDD. These workers provided services as drivers, caregivers, and maintenance workers. The EDD audit determined a total of \$2,436,504.09 in employee wages that were not reported to EDD from the third quarter of 2008 through the third quarter of 2017.

While DOL, EDD, and SMÇDA investigated Defendants for grand theft (wage theft), tax violations, and worker's compensation fraud, the agencies believed that some of the employees may have been physically and sexually assaulted by certain Defendants. It is at this point, that I took over the investigation and I began to interview former employees who worked for Rainbow

1 Bright. I learned through these interviews that Defendants forced some of their undocumented
2 employees to work twenty-four hours per day, seven days per week, while holding their
3 passports. Employees told me Defendants required that they work long hours without breaks,
4 sleep on cold floors and in cold garages, wait outside in the rain when Defendants were away, and
5 also that Defendants prohibited them from freely leaving the facilities. Employees told me
6 Defendants prohibited them from talking on the telephone to friends or family and also demanded
7 that the employees not talk to other employees. I learned from employees that Defendant Joshua
8 Gamos and Defendant Carlina Gamos regularly threatened employees that if they tried to leave,
9 or if they stopped working at their facilities or personal homes, United States immigration agents
10 would arrest the employees and deport them. Numerous employees that I interviewed told me
11 they feared for their safety and that Defendants instilled fear in them that they may be arrested
12 and deported if they did not comply with Defendants instruction.

13 I interviewed two victims who were hired as personal house servants for Defendant
14 Joshua Gamos and his family, and Defendants Noel and Gerlen Gamos. The two elderly victims
15 I interviewed began to work for Defendants in January 2014, which was within approximately
16 one month of the victims arriving to the United States from the Philippines. The fifty-nine-year-
17 old victim, who worked for Defendant Joshua Gamos, described occasions where Defendant
18 Joshua Gamos physically and verbally abused her. Defendants Noel and Gerlen Gamos
19 employed the above victim's sister as their personal house servant. This elderly victim described
20 harsh working conditions while she worked for Noel and Gerlen Gamos. She told me she had
21 only a few days off in the almost 12 months she worked for them, and that Defendants Carlina,
22 Noel, and Gerlen Gamos did not allow her to talk to her sister while she worked for them even
23 when the two were in the same room.

24 I interviewed a long term employee with Rainbow Bright. She began working for
25 Defendants shortly after arriving to the United States from the Philippines. She was just 21 years-
26 old. She told me that she worked as a caregiver at various Rainbow Bright facilities. Similar to
27 other employees, she described a similar pattern of labor trafficking that Defendants had engaged
28 in with other employees. She told me that Defendants knew she did not have proper immigration

1 documents to allow her to stay permanently in the United States. She also described how
2 Defendant Joshua Gamos initiated a personal relationship with her. She described how it did not
3 take long before the relationship with Joshua Gamos turned violent. She described numerous acts
4 of sexual intercourse where Joshua Gamos used physical violence and duress to accomplish these
5 acts; leaving bruises on her body.

6 I interviewed numerous other victims who were employed by Defendants and treated
7 poorly by Defendants. Other victims described conditions where Defendants enslaved them to
8 work twenty-four hours per day, seven days per week at the facilities and their personal homes,
9 without adequate pay and living conditions.

10 I am informed and believe by SMCD A Inspector Zemlok that Rainbow Bright did not
11 maintain proper workers' compensation insurance for their employees as well. Several Rainbow
12 Bright employees reported throughout this investigation that they were injured while working at
13 Rainbow Bright. These employees reported their work injuries to Defendant Joshua Gamos; he
14 told some of the workers to deny the injuries were work-related and instructed them to tell the
15 emergency room doctors a lie about how they received their injuries. Defendant Joshua Gamos
16 did not pay for the workers' medical bills, and instead required the workers to pay for their own
17 medical bills for work related injuries.

18 On September 5, 2018, the People filed criminal case 18SF010034 in San Mateo
19 County Superior Court. The complaint alleges eight counts of human trafficking, in violation of
20 Penal Code section 236.1(a), twenty-six counts of grand theft (wage theft), in violation of Penal
21 Code section 487(a), a count of workers' compensation fraud, in violation of Insurance Code
22 section 118880(a), nine counts of willful failure to file tax return, in violation of Unemployment
23 Insurance Code section 2117.5, and nine counts of willful failure to collect or pay taxes, in
24 violation of Unemployment Insurance Code section 2118.5, and conspiracy to commit human
25 trafficking and grand theft (wage theft), all felonies. It is specially alleged that Defendants Joshua
26 Gamos, Carlina Gamos, Noel Gamos, and Gerlen Gamos committed two or more related felonies,
27 a material element being fraud or embezzlement with a loss of more than \$500,000 in violation of
28 Penal Code section 186.11 (a)(2).

1 At lease two of the charges contain a material element of which is fraud or embezzlement.
2 The charges all stem from Defendants fraudulent conduct directed at the employees Defendants
3 employed to work at their residential adult care facilities and day care facilities; conduct which
4 involves a pattern of related felony conduct. Further the criminal enterprise perpetrated by
5 Defendants resulted in a taking in excess of \$5 million from victims employed from 2009 to
6 2014, and unreported employment wages to EDD in excess of \$2 million.

7 **DEFENDANTS' ASSETS AND PROPERTIES**

8 Based upon the investigation, I believe that the assets and title to the property listed below
9 are currently owned, held by, or under the control of Defendants. I became aware of Defendants
10 assets through the EDD investigation, SMCDA's investigation, and my own research. On or
11 about July 23, 2018, I conducted research by accessing law enforcement and public information
12 databases to obtain information on deeds, properties, and ownership. I also accessed online
13 records through the San Mateo County Recorder's Office. Also, SMCDA inspectors and CA
14 DOJ agents conducted surveillances on the properties listed below to assist in location
15 determination and ownership information. Based on these searches and surveillances, I
16 confirmed ownership of the 6 real properties located below:

17 **REAL PROPERTY:**

18 626 Skyline Drive, Daly City, CA 94015
19 Owner: Elaine Saclolo (Gamos) (spouse of Joshua Gamos)
20 Parcel No.: 008164010 (San Mateo County)
21 Estimated value: \$ 700,000

22 27 Alisal Court, Pacifica, CA 94044
23 Owner: Noel Gamos
24 Parcel No.: 009560640 (San Mateo County)
25 Estimated value: \$ 796,282

26 251 Del Prado Drive, Daly City, CA 94015
27 Owner: Joshua Gamos, Carlina Gamos
28 Parcel No.: 008301490
Estimated value: \$ 950,000

2585 Wexford Avenue, South San Francisco, CA 94080
Owner: Joshua Gamos, Carlina Gamos
Parcel No.: 091082930
Estimated value: \$ 940,000

1 104 Westmoor Avenue, Daly City, CA 94015
2 Owner: Noel Gamos
3 Parcel No.: 008045220
4 Estimated value: \$ 920,000

5 40 Sugar Hill Drive, Hillsborough, CA 94010
6 Owner: Joshua Gamos
7 Parcel No.: 038343030
8 Estimated value: \$ 3,947,400

9 Additionally, I am informed and believe the EDD, through the execution of search
10 warrants, identified some of the bank accounts belonging to Defendants, which the EDD shared
11 with me to include in my investigation. Based upon this investigation, below I have identified the
12 bank accounts in the names of Defendants Joshua Gamos, Noel Gamos, and Carlina Gamos:

13 **BANK ACCOUNTS:**

14 Bank of America
15 Account#: XXXXX3349
16 Account name: Rainbow Bright ARF; Joshua G Gamos, Noel G
17 Gamos, Felicisimo Gamos
18 Estimated value: \$35,782.96 as of July 31, 2017

19 Bank of America
20 Account#: XXXXX2030
21 Account name: Joshua G Gamos, Noel G Gamos, Felicisimo
22 Gamos
23 Estimated value: \$143.07 as of July 31, 2017

24 Bank of America
25 Account #: XXXXX6292
26 Account name: Joshua G Gamos, Noel G Gamos, Felicisimo
27 Gamos
28 Estimated value: \$ 2107.09 as of July 31, 2017

Bank of America
Account#: XXXXX0647
Account name: Noel G. Gamos
Estimated value: \$ 40,569.29 as of August 16, 2017

Bank of America
Account#: XXXXX0931
Account name: Rainbow Bright Preschool/Infant Daycare; Noel G.
Gamos
Estimated value: \$8,416.53 as of July 31, 2017

Bank of America
Account#: XXXXX7867
Account name: Rainbow Bright Preschool Infant Daycare; Carlina
G. Gamos
Estimated value: \$ 664.67 as of July 31, 2017

1 Bank of America
2 Account#: XXXXX4809
3 Account name: Felicisimo Gamos, Carlina G. Gamos, Noel G.
4 Gamos
5 Estimated value: \$78,190.40 as of July 25, 2017

6 Bank of America
7 Account #: XXXXX4786
8 Account name: Felicisimo Gamos, Carlina G. Gamos, Noel G.
9 Gamos
10 Estimated value: \$ 0.00 as of July 25, 2017

11 Bank of America
12 Account #: XXXXX9689
13 Account name: Noel G. Gamos
14 Estimated value: \$ 25.00 as of July 14, 2017

15 Bank of America
16 Account #: XXXXX6901
17 Account name: Carlina G. Gamos International Preschool; Carlina
18 G. Gamos
19 Estimated value: \$ 27.86 as of July 14, 2017

20 Bank of America
21 Account #: XXXXX5553
22 Account name: Carlina G. Gamos
23 Estimated value: \$0.00 as of May 16, 2016

24 During interviews I conducted, along with interviews the SMCDA and DOL conducted,
25 victims stated Defendant Joshua Gamos had numerous vehicles, many of which the employees
26 were tasked with maintaining and detailing on a regular basis. I requested, reviewed, and
27 confirmed this by reviewing California Department of Motor Vehicle records. I also reviewed
28 online computations from Kelly Blue Book, Car Guru.com, and Cycle Trader.com to determine
the approximate value of the vehicles. To determine the values of the vehicles, I used the basic
vehicle package option for the vehicle make and model (if I had model information), calculated
mileage at 12,000 per year in vehicle mileage, if mileage was unknown to me, and noted vehicle
condition as fair. Based on this, I believe Defendant Joshua Gamos owns, or has an ownership
interest in, approximately thirty vehicles. I believe Defendant Noel Gamos owns, or has an
ownership interest in, approximately six vehicles. I believe Defendant Carlina Gamos owns, or
has an ownership interest in, at least one vehicle. The information on these vehicles is detailed
below:

MOTOR VEHICLES:

1993 Honda: 4 door
CA License #: 3CKC000
Vin #: XXXXXXXXXXXXXXXX1685
Registered Owner: Joshua Gamos
Estimated value: \$ 258

1999 Honda Odyssey
CA License #: 4HGU781
Vin #: XXXXXXXXXXXXXXXX5147
Registered Owner: Joshua Gamos
Estimated value: \$ 380

1999 Acura TL
CA License #: 6YQE790
Vin #: XXXXXXXXXXXXXXXX4034
Registered Owner: Joshua Gamos
Estimated value: \$ 562

2000 Ferrari 360 Modena
CA License #: JG36OF
Vin #: XXXXXXXXXXXXXXXX7604
Registered Owner: Joshua Gamos
Estimated value: \$ 73,980

2001 BMW
CA License #: 4TTA076
Vin #: XXXXXXXXXXXXXXXX2191
Registered Owner: Joshua Gamos, Carlina Gamos
Estimated value: \$371

2002 Toyota
CA License #: JGAMOS
Vin #: XXXXXXXXXXXXXXXX0633
Registered Owner: Joshua Gamos
Estimated value: \$ 489

2003 Toyota Truck
CA License #: JGAMOS1
Vin #: XXXXXXXXXXXXXXXX3161
Registered Owner: Joshua Gamos
Estimated value: \$ 2,106

2005 BBCHP Chopper
CA License #: 18B7135
Vin #: XXXXXXXXXXXXXXXX1807
Registered Owner: Joshua Gamos
Estimated value: \$ 12,000

2005 Chrysler Van
CA License #: 7YZP852
Vin #: XXXXXXXXXXXXXXXX5702
Registered Owner: Joshua Gamos
Estimated value: \$ 206

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2006 Toyota Matrix
CA License #: 5SGE760
Vin #: XXXXXXXXXXXXXXX7659
Registered Owner: Joshua Gamos
Estimated value: \$2,315

2007 Honda 4 Civic
CA License #: 5ZQV534
Vin #: XXXXXXXXXXXXXXX4590
Registered Owner: Joshua Gamos
Estimated value: \$ 1,530

2007 Ford Van
CA License #: 7LOW018
Vin #: XXXXXXXXXXXXXXX0868
Registered Owner: Joshua Gamos
Estimated value: \$2,658

2008 Ford Econoline E 350
CA License #: 6DIF254
Vin #: XXXXXXXXXXXXXXX3031
Registered Owner: Joshua Gamos
Estimated value: \$3,714

2009 Ford Van
CA License #: 8Y11466
Vin #: XXXXXXXXXXXXXXX0859
Registered Owner: Joshua Gamos
Estimated value: \$ 4,677

2009 Audi Q7
CA License #: 6FRX483
Vin #: XXXXXXXXXXXXXXX7381
Registered Owner: Joshua Gamos, Elaine Gamos
Estimated value: \$ 8,747

2010 Ford Van
CA License #: 7KED383
Vin #: XXXXXXXXXXXXXXX9183
Registered Owner: Joshua Gamos
Estimated value: \$ 6,219

2011 Ford Van
CA License #: 6NZK249
Vin #: XXXXXXXXXXXXXXX1376
Registered Owner: Joshua Gamos
Estimated value: \$ 6,716

2012 Nissan GT-R
CA License #: 6SPA410
Vin #: XXXXXXXXXXXXXXX0773
Registered Owner: Joshua Gamos
Estimated value: \$ 63,999

1 2012 Ford Econoline E 350
CA License #: 7KNG464
2 Vin #: XXXXXXXXXXXXXXXX7394
Registered Owner: Joshua Gamos
3 Estimated value: \$ 11,109
4
5 2013 Jeep utility vehicle
CA License #: JGAMOS3
6 Vin #: XXXXXXXXXXXXXXXX6466
Registered Owner: Joshua Gamos
7 Estimated value: \$ 7,236
8
9 2013 Ford Van
CA License #: 7AKS940
10 Vin #: XXXXXXXXXXXXXXXX0454
Registered Owner: Joshua Gamos
11 Estimated value: \$ 8,729
12
13 2014 Lamborghini Aventador
CA License #: 7KEF060
14 Vin #: XXXXXXXXXXXXXXXX2709
Registered Owner: Joshua Gamos
15 Estimated value: \$ 339,000
16
17 2015 Toyota Corolla
CA License #: 7MMW357
18 Vin #: XXXXXXXXXXXXXXXX4644
Registered Owner: Joshua Gamos
19 Estimated value: \$ 10,078
20
21 2015 Subaru 4 door
CA License #: 7MXA781
22 Vin #: XXXXXXXXXXXXXXXX0480
Registered Owner: Joshua Gamos
23 Estimated value: \$ 13,744
24
25 2016 Ford Transit 150 XLT
CA License #: 80030A2
26 Vin #: XXXXXXXXXXXXXXXX8002
Registered Owner: Joshua Gamos
27 Estimated value: \$ 18,304
28
29 2016 Chevrolet 2 door
CA License #: 7UBC544
30 Vin #: XXXXXXXXXXXXXXXX0988
Registered Owner: Joshua Gamos
31 Estimated value: \$ 9,839
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33 2016 Toyota Landcruiser
CA License #: 7UCM405
34 Vin #: XXXXXXXXXXXXXXXX0302
Registered Owner: Joshua Gamos
35 Estimated value: \$ 52,839

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2016 Chevrolet
CA License #: JGZO6
Vin #: XXXXXXXXXXXXXXX0988
Registered Owner: Joshua Gamos
Estimated value: \$ 9,839

2017 Ford Coupe
CA License #: 8CKH631
Vin #: XXXXXXXXXXXXXXX5580
Registered Owner: Joshua Gamos
Estimated value: \$ 7,072

2003 BMW M3
CA License #: D108V0
Vin #: XXXXXXXXXXXXXXX3029
Registered Owner: Noel Gamos
Estimated value: \$ 9,508

2004 Mercedes
CA License #: 5FFN357
Vin #: XXXXXXXXXXXXXXX3007
Registered Owner: Noel Gamos
Estimated value: \$ 758

2008 Mercedes
CA License #: D110V0
Vin #: XXXXXXXXXXXXXXX8060
Registered Owner: Noel Gamos
Estimated value: \$ 3,854

2009 Lexus LS600hL
CA License #: F583T0
Vin #: XXXXXXXXXXXXXXX9811
Registered Owner: Noel Gamos
Estimated value: \$ 18,333

2011 Honda Pilot
CA License #: E547T0
Vin #: XXXXXXXXXXXXXXX5122
Registered Owner: Noel Gamos
Estimated value: \$ 9,754


2013 Toyota Tacoma
CA License #: 157USS
Vin #: XXXXXXXXXXXXXXX5425
Registered Owner: Noel Gamos
Estimated value: \$ 15,912

The total value of the assets listed above is \$9,624,473 for real property and the vehicles.
Furthermore, the value of the bank accounts for DEFENDANTS collectively in July to August

1 2017 was \$ 165,926.87. The value of the real property, vehicles, and bank accounts is below the
2 amount Defendants could be ordered to pay in fines and restitution.

3 I declare under penalty of perjury that the foregoing is true and correct.

4
5 Executed this 4 day of September, 2018 in Sacramento County, California.

6
7 

8 PETER WOLD
9 Special Agent
10 California Department of Justice

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